



**TENNESSEE
STATE DEPARTMENT OF EDUCATION
DIVISION OF SPECIAL EDUCATION
5^H FLOOR ANDREW JOHNSON TOWER
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-0380**

MEMORANDUM

TO: Commissioner of Department of Children's Services
Commissioner of Corrections
Local School Superintendents/Directors
Local Special Education Directors/Supervisors
County Sheriffs

FROM: Joseph Fisher, Assistant Commissioner
Department of Education

DATE: January 24, 2003

RE: Education Policy and Procedures for Incarcerated Children with Disabilities

Enclosed is a copy of the jointly developed Policy and Procedures for educating children with disabilities who are detained or incarcerated in county-operated jails and detention centers in Tennessee. The Policy and Procedures were developed by representatives of the U.S. Department of Education, the Office of Special Education Rehabilitative Services (OSERS), the Office for Civil Rights (OCR), Tennessee Department of Education (DOE), local school staff and community representatives.

The attached Policy constitutes an update to an existing Policy originally implemented on October 21, 1996. We are asking that you share the enclosed with all appropriate staff persons in your agencies and that you follow the Policy and Procedures regarding students with disabilities who are detained or incarcerated in county/city-operated detention centers and jails.

Should you have any questions as you begin the implementation phase, you may contact Bill Ward or me at 615-741-2851 in the Division of Special Education. If needed, the Division of Special Education may issue written clarification to assist you in implementing the Policy. Davis Hines, Educational Consultant, will be visiting county/city-operated jails and detention centers to monitor for compliance in this area. We hope that these procedures will assist you in providing the necessary services to all eligible children with disabilities throughout the State of Tennessee.